

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-3, 5-16, 18-29 and 31-40 are all the claims pending in the application. In response to the Office Action, Applicant respectfully submits that the claims define patentable subject matter.

I. Overview of the Office Action

Claims 1-3, 5-16, 18-29, and 31-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hedin et al. (U.S. Patent No. 6,185,535, hereafter “Hedin”) in view of King (U.S. Patent No. 6,532,446) and newly cited D’hoore et al. (U.S. Patent No. 6,085,160, hereafter “D’hoore”). Applicant respectfully traverses the prior art rejections.

II. Prior Art Rejection

The Examiner alleges that Hedin discloses all of the features of independent claim 14 and analogous independent claims 1 and 27 except for the feature “the voice data is translated to text using a voice print, and the translated text is returned to the device” as recited in claim 14 and analogously recited in claims 1 and 27. The Examiner relies on King and D’hoore to allegedly cure this deficiency. Applicant respectfully submits that claims 1, 14, and 27 would not have been rendered obvious in view of the cited references.

First, the Examiner asserts that King discloses “the translated text is returned to the device”, and cites column 3, lines 16-19 of King as allegedly disclosing this feature of the

claim.² In the present case the Examiner has not provided any supportable objective reasoning why one of ordinary skill in the art would have had a reason to modify Hedin in view of King. The Examiner contends it would be obvious to combine the teachings of Hedin with the communication system of King to improve the usability and commercial viability of the network. This rationale is flawed for at least the following reason.

One skilled in the art would not combine the speech recognition system of King, which teaches detecting a user's speech, translating the speech into a symbolic data file and forwarding the symbolic data file to a user (the Abstract), with the system of Hedin. Hedin describes a device 101 for receiving and transmitting data (column 5, lines 1-33); namely a computer (107, 109) having a datastore coupled thereto (column 4, lines 46-50). The server or gateway/proxy module 107 in the computer converts received voice data to text (column 5, lines 17-22 and lines 34-61). Hedin further teaches that in one aspect of the invention, a gateway/proxy part 107 converts received text to audio that may be supplied to the client part 101 (column 5, line 66 to column 6, line 4). Hedin discloses that sending the audio to the user allows the user to hear possible selections, rather than having to view them on the screen (column 6, lines 2-4). Accordingly, the system of Hedin allows a user to hear audio returned from the server, rather than view text that was translated from audio signals sent from the mobile unit. In other words, Hedin obviates the need to view text translated from voice data. Further, there is no teaching or suggestion in King that the symbolic data file is a file that can be viewed by a user of the mobile device. Thus, the references teach away from their combination with each other.

² Page 4 of the Office Action dated September 26, 2007.

Secondly, the Examiner concedes that Hedin and King do not teach or suggest “the voice data is translated to text using a voice print”. The Examiner thus relies on D’hoore to allegedly cure that conceded deficiency. Applicant respectfully disagrees with the Examiner’s position.

D’hoore discloses a speech recognition system which uses language independent acoustic models derived from speech data from multiple languages to represent speech units which are concatenated into words (the Abstract). Words in a vocabulary of recognizable words may be described by a voice print comprised of a user-trained sequence of acoustic models from a database (column 2, lines 1-7).

There is no teaching or suggestion in D’hoore that the voice print is used to translate voice data into text. Rather, D’hoore discloses that the voice print is used to determine the identity of the speaker of the speech input (column 2, lines 1-6). However, there is no teaching or suggestion in D’hoore that the voice print is used to translate voice data to text as required by the claims.

Accordingly, Applicant respectfully submits that independent claims 1, 14, and 27 should be allowable because the cited references do not teach or suggest all of the features of the claims. Claims 2, 3, 5-13, 15, 16, 18-26, 28, 29, and 31-40 should also be allowable at least by virtue of their dependency on independent claims 1, 14, and 27.

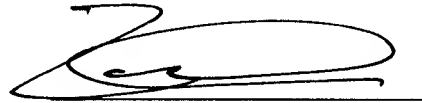
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 09/690,313

Attorney Docket No.: A8504

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark E. Wallerson', written over a horizontal line.

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